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TANGIPAHOA Parish Jail

P.O. Box 250

Amite, LA. 70422

Desmond V. Gayle

I.N.S # A74-891-110

Dated, August 27, 2002

To: Mary E. D. Andrea - Clerk

United States District Court

Middle District of PENNSYLVANIA

William J. Nealon Federal Bldg

235 North Washington Avenue

P.O. Box 1148

Scranton, PA. 18501-1148

{ DESMOND V. GAYLE - PLAINTIFF,  
V.  
WARDEN HOGAN AND  
DEPUTY BOWEN - DEFENDANTS. }

Civil No. 3:CV-01-1282  
(Judge William W. Caldwell)

PLAINTIFF'S BRIEF IN SUPPORT  
OF DISPOSITIVE MOTION  
Filed ON July 4<sup>th</sup> 2002.

Continue →

PLAINTIFF Supporting BRIEF  
 (PAGE - two) Judge William W. Caldwell  
CIVIL NO. 3:CV-01-1282

PARAGRAPH About April, 16<sup>th</sup>, 2001, I Almost died  
 (one) in the B.A.U. at York County Prison.  
 (1) While suffering From ABDOMINAL  
 PAIN and BURNING of my PENIS,  
 EACH time I attended the toilet.

PARAGRAPH When I URINATE, my URIN WAS  
 (two) VERY VERY DARK yellow, my stool  
 (2) came out in strings with Blood  
 in it, And most of the time, I WAS  
 CONSTIPATED and finds it difficult  
 to stool. The NURSE gave me  
 Metamucil for the Constipation,  
 All these ADVERSE physical EFFECT  
 happen to me, while Consuming  
 the "Food loaf". I Also lost weight,  
 Body = Weight of About 70 pounds,  
 During my stay at B.A.U. one EVENING  
 Two Correctional officers Laughed at my Weight  
 PARAGRAPH Each time the Foodloaf WAS served  
 (three) there WASN'T ANY liquid served (Juice)  
 (3) with it, that WAS Cruelty done.  
 I WAS NOT MALINGERING at All.

PLAINTIFF Supporting Brief  
 (PAGE - three) Judge William W. Caldwell  
CIVIL NO. 3: CV-01-1282

PARAGRAPH One EVENING! two Correctional  
 (FOUR) officers laugh and made FUN  
 (H) at my Lost in Body-Weight,  
 they even said it to me,  
 "Gayle you have lost A lot  
 of Weight since you been  
 place in B.A.U.", they said they  
 New it WAS the EFFECT of the  
 "Foodloaf."

PARAGRAPH At About April, 17, 2001 the  
 (FIVE) A PHYSICIAN'S ASSISTANT took my  
 (5) A URINALYSIS test and told me  
 that she Found Blood in my  
 Urin, at this minutes I WAS  
 very Worried, When I WAS told  
 such News, First thing came  
 to my mind is (I WAS going to  
 died in Jail.) I Felt very Sick  
 during such time. She prescribe  
 (Medication) called (BACTRUM) FOR  
 me, the Nurse gave me the BACTRUM  
~~to~~ the following evening and it stop

(Page-Four) PLAINTIFF Supporting Brief  
Judge William W. Caldwell  
Civil NO. 3: CV-01-1282

PARAGRAPH The Medication "Bactrum" WAS  
 (FIVE) B A white OVAL pill, which stop  
 (5) B the BURNING, and Cleared up my  
 Urin. The Metamucil the NURSE  
 gave me FOR Constipation, didn't  
 helped, only the "Bactrum" help  
 me, By Stoping the BURNING of my  
 PENIS, AND Cleared up my URIN.

PARAGRAPH The Defedant Council Failed  
 (Six) to Bring to the light in his  
 (6) Motion FOR SUMMARY Judgement  
 that the (Bactrum) Medication  
 help stop the BURNING in my  
 PENIS. The the Doctor incharged  
 PATRICIA L. SAUERS M.D., also  
 Failed to Bring the "Bactrum"  
 Medication to the light.  
 I DESMOND V. Gayle bears the  
 BURDEN of showing the genuine  
 ISSUE AS to the MATERIAL FACT  
 IN MY CASE. ASTORI V. BELL TELEPHONE CO.  
91 F.3d 500 (3d Cir. 1997)

D. V. Gayle

IN THE United States District Court  
FOR the Middle District of PENNSYLVANIA

DESMOND V. GAYLE CIVIL NO. 3:CV-01-1282  
PLAINTIFF CV-01-1282

V.  
WARDEN HOGAN and Judge William W. Caldwell  
DEPUTY BOWEN DEFENDANTS.

CERTIFICATE OF SERVICE

I DESMOND V. GAYLE, AN I.N.S  
DETAINEE at the TANGIPAHOA  
PARISH Jail, hereby certify that  
A TRUE AND CORRECT COPY of the  
Foregoing Brief in Support of my  
Dispositive Motion Filed on  
July 4<sup>th</sup> 2002. THE BACTRUM  
Medication WAS CAUSED to be served  
ON the DATE shown below, by depositing  
same in the United States MAIL to following:

DONALD L. REIHART, Esq. Sup. Ct. I.D. #07421  
2600 EASTERN BOULEVARD, Suite 204  
YORK, PA. 17402-2904

Dated - August 27 2002. Respectfully Submitted.



**EMSA CORRECTIONAL CARE**

PLAINTIFF Supporting Brief  
Judge William W. Caldwell  
Civil No. 3: CV-01-1282  
Medication = BACTRUM AS EVIDENCE!  
PROGRESS NOTES

Date/Time	Inmate Name:	ID #	D.O.B.:
4/17/01	Desmond Gayle		1 / 1
1515	S: c/o burning upon urination + pain		
T 100.5	O: ↑T + as above mentioned, R/O UTI		
	A: A/I in c/o left dysuria		
	P: UA dip; see below, spoke to Dr. P		
	order for ("bactrim") received. DR		
<p>Very Important Fact in my CASE          CALLED "BACTRUM" - Medication          EVIDENCE Comes to light!</p> <p>I. V. Gayle Read the underline</p> <p>August/27/2002</p> <p>I. V. Gayle</p>			
<p>MULTISTIX 10SG</p> <p>NAME DESMOND GAYLE</p> <p>DATE 4/17 TECH 079</p> <p>GLUCOSE -</p> <p>BILIRUBIN -</p> <p>KETONE +</p> <p>SG 1.08</p> <p>BLOOD ++</p> <p>PH 7.5</p> <p>PROTEIN +</p> <p>UROBILINOGEN -</p> <p>NITRITE -</p> <p>LEUKOCYTES ++</p>			
4/17	S: Requesting bunk 2 <sup>o</sup> hearing voices		
1530	@ Spoke to Dr. AHN re the above; Dr. AHN reported need for 1 bunk		
	A: Knowledge deficit		
	P: 1 bunk request denied — DR		

EMSA CORRECTIONAL  
# CARE

**PLAINTIFF Supporting Brief**  
**Judge William W. Caldwell**  
**Civil No. 3: CV-01-1282**  
**EVIDENCE of SUBMISSIONS**  
**INMATE MEDICAL REQUEST FORM**

☐ DENTAL☒ MEDICAL☐ MENTAL HEALTH

(Please check one of the above)

PRINT ONLY

PRINT ONLY

PRINT ONLY

Date: APR 11/4/2001Facility/Institution: York County PrisonName of Inmate: DESMOND GAYLED.O.B.: 10, 10, 63I.D. # 55438 (INS)Cell #: BAU FEB-1BProblem: (in your own words) INS # A74-891-110

Please Sir/Madam I Am presently feeling  
 A Sharp Pain in my Lower Right Abdomen  
 And attending the toilet to Urinate every three =  
 something is Rong = minutes

DO NOT WRITE BELOW THIS LINE

## STAFF SECTION

Disposition: \_\_\_\_\_

Person Triaging: \_\_\_\_\_

(Name)

Date: \_\_\_\_\_

Time: \_\_\_\_\_

FOR STAFF USE ONLY

(EVIDENCE)

S: 40 pain in @ lower abd. 40 urinary  
freq. & Stools looking like "string"o: Urine dip results below 2. Accu 57B.Freq. 40 c S/c SleepA: Read the underlined (statements)August 27/2002D. V. GayleP: Notx @ present time.Informed that 11M freq has 40.4/1/01 Bpm Tonya (has 100)Date: 4/1/01 Bpm Tonya (has 100)

MULTISTIX 10SG

NAME \_\_\_\_\_  
 DATE \_\_\_\_\_ TECH \_\_\_\_\_  
 GLUCOSE \_\_\_\_\_  
 BILIRUBIN \_\_\_\_\_  
 KETONE \_\_\_\_\_  
 SG \_\_\_\_\_ 1.020  
 BLOOD \_\_\_\_\_  
 PH \_\_\_\_\_ 5.0  
 PROTEIN \_\_\_\_\_  
 UROBILINOGEN \_\_\_\_\_ 0.2  
 NITRITE \_\_\_\_\_  
 LEUCOCYTES \_\_\_\_\_